



US Application No. 09/392,676
740301-411

#6 / Response
6/6/01
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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Joseph B. SAINTON et al
Serial No : 09/392,676
Filed : September 8, 1999
For : APPARATUS AND METHODS FOR
NETWORKING OMNI-MODAL RADIO
DEVICES

Examiner:
E. Urban

Art Unit:
2683

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MAY 31 2001

Technology Center 2600

AMENDMENT UNDER 37 C.F.R. 1.173(b)

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

The following is presented in response to the Office Action mailed April 11, 2001, in connection with the above-captioned reissue application. Pursuant to MPEP 1442, as well as MPEP 708 and 37 C.F.R. 1.102(a), it is requested the examiner treat this application as "special" and take up for action this application in advance of any other application, including "special" applications, except for reissues involved in "litigation", and treat and respond to all issues immediately.

REMARKS

The Examiner's indication of allowance of claims 1-24 is appreciated. Claims 1-46 are pending and claims 25-46 have been rejected. The applicants wish to thank the Examiner for the courtesies extended by the examiner to Mr. Leedom and Mr. Massie during the interview of May 24 2001.

The applicants respectfully traverse the Examiner's rejection under 35 U.S.C. 251 of claims 25-46. The Examiner, citing In re Clement, states that the basis of the "recapture"